

The board of deposits has authority to determine the minimum average daily balance which must be maintained to the credit of the state of Wisconsin in its working banks. 39 Atty. Gen. 247.

34.04 History: 1935 c. 55 s. 1, 5; 1943 c. 91; 1943 c. 375 s. 7; 1951 c. 511 s. 47; 1955 c. 221 s. 26, 27; 1957 c. 640; 1961 c. 507; 1965 c. 433 s. 121; 1967 c. 291 s. 14; 1969 c. 276 s. 592 (7).

34.05 History: Spl. S. 1931 c. 1 s. 2; Spl. S. 1931 c. 11; 1933 c. 435 s. 2, 3; Stats. 1933 s. 34.015, 34.05; 1935 c. 55, 394; Stats. 1935 s. 34.05; 1951 c. 511 s. 47; 1961 c. 507; 1967 c. 29 s. 1; 1969 c. 276 s. 592 (7).

34.05 (4), Stats. 1933, does not apply to funds sent to out-of-state banks for the purpose of meeting bond issues at maturity, even though funds must be sent prior to maturity date. 24 Atty. Gen. 373.

Money raised for the specific purpose of paying bonds by a county must be placed in public depository. 24 Atty. Gen. 644.

34.06 History: Spl. S. 1931 c. 1 s. 2; Spl. S. 1931 c. 11; 1933 c. 435 s. 2; Stats. 1933 s. 34.02; 1935 c. 55; Stats. 1935 s. 34.06.

The cashier of a state institution, having filed an official bond, is an insurer of public funds lawfully in his possession, and liability for losses occurring even without his fault is covered by such bond. 26 Atty. Gen. 328.

34.07 History: Spl. S. 1931 c. 1 s. 2; Stats. 1933 s. 34.06 (6); 1935 c. 55 s. 2; Stats. 1935 s. 34.07 (2); 1957 c. 640; Stats. 1957 s. 34.07.

34.08 History: Spl. S. 1931 c. 1 s. 2; 1933 c. 5; 1933 c. 435 s. 2; Stats. 1933 s. 34.06; 1935 c. 55, 184; Stats. 1935 s. 34.08; 1937 c. 122; 1939 c. 440; 1947 c. 9 s. 31; 1947 c. 469; 1951 c. 91, 319; 1951 c. 511 s. 47; 1955 c. 10, 332; 1957 c. 640; 1959 c. 659 s. 79; 1961 c. 507; 1965 c. 433 s. 121; 1967 c. 291 s. 14; 1969 c. 276 s. 592 (7).

Reconstruction Finance Corporation moneys deposited by the governor or unemployment relief trustees in a public depository which has failed to repay on demand constitute a valid claim against the state public deposit fund. Sums due the state public deposit fund under 34.08 (2) on such funds and similar funds should be paid by public depositors. 22 Atty. Gen. 488.

Tax money collected by the tax commission and deposited in various banks is classed as state money until distributed to counties, towns, cities and villages, for purposes of payment into the deposit funds, and insurance on this money payable to state deposit fund must be paid by the state treasurer out of the general fund. 23 Atty. Gen. 46.

Where a public depository assigns its claim against a defunct bank to the board of deposits and the closed bank repays 100% plus interest, such interest goes to the board and not to the depositor. 25 Atty. Gen. 313.

Municipal utility funds are separate and distinct from general funds of a municipality and are held by the municipality in a separate capacity and right within meaning of FDIC act and are each entitled to be treated as separately insured funds. 29 Atty. Gen. 407.

The board of deposits has no power to approve a claim or pay a loss under 34.08 (1)

for Wisconsin "public funds" deposited in an Illinois state bank irrespective of whether or not premiums due under ch. 34 are paid by the "public depositor" to the board. 36 Atty. Gen. 181.

Discontinuance and transfer of the balance of the segregated state deposit fund to the general fund does not contravene the constitution. 45 Atty. Gen. 227.

34.09 History: Spl. S. 1931 c. 1 s. 2; 1933 c. 435 s. 2; Stats. 1933 s. 34.07; 1935 c. 55; Stats. 1935 s. 34.09; 1951 c. 511 s. 47; 1961 c. 507; 1969 c. 276 s. 592 (7).

Where the state under 14.44, Stats. 1931, had intrusted bonds and coupons to a state depository "to collect and credit," and the depository, upon being credited by a subsequent collecting bank, had merely issued a certificate of deposit to itself without the knowledge or consent of the state, and shortly thereafter failed, the sureties on the depository bonds were not liable for such proceeds, since the depository thereby had become only a "debtor" and not a "depository" on account of such funds, and such funds had not become a "deposit" within the meaning of the depository bonds. State v. United States F. & G. Co. 215 W 91, 254 NW 130.

The board of deposits has no power under this section to approve an out-of-state bank as a depository for Wisconsin "public funds" even though the out-of-state bank and the Wisconsin public depository involved are willing to comply with the provisions of chapter 34. 36 Atty. Gen. 181.

34.095 History: 1891 c. 273 s. 2; Stats. 1898 s. 160b; 1903 c. 233 s. 2; Supl. 1906 s. 160b; 1909 c. 534; 1917 c. 622 s. 41; Stats. 1917 s. 14.44; 1925 c. 449; 1929 c. 445 s. 2; 1929 c. 491 s. 3; Spl. S. 1931 c. 1 s. 1; 1969 c. 276 s. 41; Stats. 1969 s. 34.095.

34.10 History: 1933 c. 435 s. 3; Stats. 1933 s. 34.075; 1935 c. 55; Stats. 1935 s. 34.10; 1937 c. 284; 1947 c. 411 s. 11(220.02(5)); 1951 c. 511 s. 47; 1957 c. 640; 1961 c. 507; 1969 c. 276 s. 592 (7).

Bank stabilization. Murphy, 7 WLR 255.

34.105 History: 1951 c. 407; Stats. 1951 s. 34.105; 1953 c. 341.

34.11 History: 1935 c. 55; Stats. 1935 s. 34.11; 1961 c. 507; 1969 c. 276 s. 592 (7).

CHAPTER 35. Public Printing and the Distribution of Laws and Public Documents.

General Comment of Interim Committee on State Publications, 1959:

This bill [617, S] is the first comprehensive revision of ch. 35 of the statutes since 1931. It is the product of a study made by the interim subcommittee on state publications in accordance with amendment No. 1, S. to Jt. Res. No. 97, S., passed by the 1957 legislature.

Proposed changes in ch. 35 are intended to improve the printing processes of the state by the clarification of existing sections, the repeal of obsolete material, the strengthening of some sections, and the institution of stronger controls over state printing and distribution programs. These changes are designed to

promote greater efficiency and economy in state printing.

Chapter 35 has been reorganized into subdivisions so that sections on like subjects are grouped together instead of scattered throughout the chapter.

The chapter has been rendered more flexible by the transfer of numerous technical details, including base prices, to administrative determination and to the specifications pamphlet which is a part of the printing contract. This will facilitate necessary changes in specifications at each bidding period for state contract printing.

Sections which have no bearing on the operation of ch. 35 have been transferred to ch. 251. Sections of ch. 13 which are related to state printing have been transferred to ch. 35.

Editor's Note: Ch. 35 was repealed and recreated by ch. 516, laws of 1959 (Bill 617, S). The following table is designed to assist in tracing the various provisions of the old law into the new sections created by this bill. It does not show (except in the case of complete repeals) what specifically happened to a particular provision of the old law, i.e., whether it was substantially changed or restated without change. To find that information, turn to the new section and the note appended thereto.

CONVERSION TABLE

Stats. 1957	Stats. 1959
13.146 (1)	35.05 (8)
(2)	35.05 (7)
	35.001
35.01	35.01
35.015	35.015
35.02 (2)	35.001 (3)
(3)	Repealed
35.03 (1)	35.03 (1)
(2)	35.03 (2)
(3)	35.03 (3)
(4)	Repealed
(5)	35.03 (4)
(6)	35.03 (5)
(7)	Repealed
(8)	35.03 (6)
(9)	35.03 (7)
	35.03 (8)
35.035 (1)	35.03 (10)
(2)	35.03 (11)
35.04 (1)	35.04 (1)
(2)	35.04 (2)
35.05	35.07
35.06	35.265
	35.05 (1)
35.07 (1)	35.05 (2)
(2)	35.05 (3)
(3)	35.05 (4)
(4)	35.05 (5)
(5)	35.05 (9)
35.08 (1)	35.08 (1)
(2)	35.08 (2)
(3)	35.08 (3)
	35.08 (4)
35.09	35.09
	35.093
35.095	35.095
35.10	35.10
35.11	35.11
35.12	35.12
35.13	35.13

Stats. 1957	Stats. 1959
35.14 (1)	35.14 (1)
(2)	Repealed
(3)	35.14 (2)
(4)	35.14 (3)
35.141	35.141
35.145	Repealed
35.15	35.15 (1)
	35.15 (2)
35.16 (2nd sentence)	35.15 (1) (5th sentence)
(remainder)	35.03 (9)
35.17	35.19
35.18 (1)	35.18 (1)
(2)	35.18 (2)
35.19	35.18 (3)
35.20	35.20
35.21	35.17
35.22	35.22
35.23	35.23
35.24	35.24 (1)
35.245	35.25
35.25	35.03 (9)
35.26 (1)	35.26 (1)
(2)	35.26 (2)
(3)	35.26 (3)
35.27	35.27
35.28	35.28
35.29	35.29 (1)
35.30	Repealed
35.31	35.55 (2)
35.32	35.29 (2)
35.33 (1)	Repealed
(2)	Repealed
35.34 (1)	35.34 (1)
(2)	35.91 (2)
35.35 (1)	35.35 (2)
(1a)	35.35 (2)
(2)	35.35 (2)
(3)	35.35 (2)
(4)	35.35 (2)
(5)	35.35 (1)
35.36	35.35 (1)
35.37 (1)	35.35 (2)
(2)	35.35 (2)
(3)	Repealed
(4)	35.24 (2)
(5)	35.35 (1) & (2)
(6)	35.35 (1)
(7)	35.35 (1)
(8)	35.35 (2)
35.38	35.38
35.39	35.39 (1)
35.40	35.40
35.41	35.41
35.42 (3rd sentence)	35.485
(remainder)	35.36
35.43	35.43 (1)
35.44 (1)	Repealed
(2)	Repealed
(3) (1st sentence)	35.43 (2)
(remainder)	35.43 (3)
(4)	Repealed
(5)	Repealed
(6)	Repealed
(7)	Repealed
	35.44 (4)
(8)	35.44 (5)
35.45	35.45
35.46 (1)	35.46 (1)
(2)	35.46 (2)
35.47	35.47

Stats. 1957	Stats. 1959	Stats. 1957	Stats. 1959
35.48 (1)	35.48	(17)	35.85 (5)
35.49	35.49	(18)	35.85 (6)
35.50	35.50	(19)	35.85 (11)
35.51	35.51	(20)	35.85 (7)
35.52	35.52	35.85	35.85 (12)
35.53	35.53		35.85 (13)
35.54	35.54	35.86 (1st sentence)	35.86 (1)
35.55	35.55 (1)	(remainder)	35.86 (2)
35.555	35.555		35.86 (3)
35.56	35.56 (1)		35.86 (4)
	35.56 (2)		35.86 (6)
	35.56 (3)	35.87	35.87
35.57	Repealed	35.88	35.88
35.59	Repealed	35.89	35.89
35.60	Repealed	35.90	35.90
35.61	Repealed	35.91	35.91 (1)
35.62	Repealed	35.92 (generally)	35.545
35.63	35.63	(1)	Repealed
35.64	35.64	(2)	Repealed
35.65	35.64	(3)	35.235
35.66	Repealed	(4)	Repealed
35.68	35.68	(5)	35.24 (3)
35.69	35.69 (1)	(6)	35.26 (4)
35.71	251.035 (1)	(7)	35.29 (3)
35.72	251.035 (2)	(8)	Repealed
35.73	251.035 (3)	(9)	Repealed
35.74	35.74	(11)	35.29 (3)
35.75 (1st sentence & part of 2nd sentence)	35.75 (intro. par.)	(12)	Repealed
(parts of 2nd sentence)	35.75 (1)	(13)	35.34 (2)
"	(2)	(14)	Repealed
"	(3)	(15)	35.69 (2)
"	(4)	(16)	35.84
"	(5)		(1st sentence)
"	(6)	(17)	35.86 (5)
"	(7)	(18)	35.85 (12)
"	(8)	(19)	Repealed
"	(9)	(20)	35.94
35.75 (3rd sentence)	35.75 (10)	35.93 (1)	35.93 (1)
35.76	35.76	(2)	35.93 (2)
35.77	35.77	(3)	35.93 (3)
35.78	35.78	(4)	35.93 (4)
35.79	35.79	(5)	35.93 (5)
35.80	35.80	(6)	35.93 (6)
35.81	35.81	(7)	35.93 (7)
35.82	35.82	(8)	35.93 (8)
35.83	Repealed	(9)	35.93 (9)
35.84 (1)	35.84 (table)	35.94 (1)	35.012
(2)	35.84 (table)	(2)	35.46 (3)
(3) (1st 2 sentences)	35.84 (table)		
(3rd sentence)	35.85 (1)		
(4)	(1st sentence)		
(5)	35.84 (table)		
(6) (a)	Repealed		
(b)	35.84 (table)		
(7)	35.85 (3)		
(8)	35.85 (2)		
(9)	35.84 (table)		
(10)	35.84 (table)		
(11) (1st sentence)	35.85 (2)		
(remainder)	Repealed		
(12)	Repealed		
(13)	35.85 (10)		
(13a)	35.84 (table)		
(14)	35.84 (table)		
(15)	35.84 (table)		
(16) (1st 2 sentences)	35.84 (table)		
(remainder)	35.85 (9)		
(16a)	35.85 (4)		
(16b)	Repealed		

35.001 History: 1959 c. 516; 1959 c. 649 s. 1; Stats. 1959 s. 35.001; 1965 c. 567; 1967 c. 107; 1969 c. 276 s. 603 (2).

35.01 History: 1874 c. 230 s. 7; 1874 c. 243 s. 25; 1911 c. 657; Stats. 1911 s. 20.01; 1915 c. 506 s. 2; 1917 c. 336 s. 2; Stats. 1917 s. 35.01; 1919 c. 271; 1919 c. 679 s. 7; 1931 c. 45 s. 1; 1937 c. 281; 1945 c. 20, 437; 1951 c. 710; 1951 c. 734 s. 10; 1953 c. 3, 466, 631; 1959 c. 228 s. 56 a; 1959 c. 516; 1959 c. 649 s. 2, 3; 1961 c. 532, 533, 536; 1967 c. 107; 1969 c. 276 s. 596.

Comment of Interim Committee on State Publications, 1959: This section amends old 35.01 by adding the language "all graphic reproduction by whatever process." When ch. 35 was originally created, relief printing was the only method of reproduction used for state printing, and the chapter has never contained a provision for the use of other processes by the contract printers. The new language makes this section more flexible by enabling the director of purchases to specify the use of

any process in the graphic arts by the contract printers in fulfilling a state printing order. 35.01 (7) is amended by the addition of the word "job," thereby bringing it into line with 35.80. [Bill 617-S]

Comment of Committee on Legislative Procedure, 1959: Printing of the eighth class is created to correct a deficiency in Ch. 516, Laws 1959, arising from the reallocation of the printing function under Ch. 228, Laws 1959. Under the old law the purchase of specialty printing and contracting for book printing excluded from Class 3 were the responsibility of the director of purchases without reference to the printing division. In the department of administration this responsibility has been transferred from the director of purchases to the printing division. Hence, the new class is created to facilitate administration of this kind of printing by the printing division. [Bill 686-S]

On stationery and printing see notes to sec. 25, art. IV.

Under ch. 35, Stats. 1943, printing for the University of Wisconsin (which does not include multigraph, multicolor, and mimeograph operation) must be done by the state printer, that is, the person under contract to do state printing, and cannot be done by the university itself on printing presses owned and operated by it. *Democrat Printing Co. v. Zimmerman*, 245 W 406, 14 NW (2d) 428.

The contract of the state with the public printer covers the printing by the university of books written in a foreign language; no special contracts can be made or let for such printing. 8 Atty. Gen. 566.

35.012 History: 1943 c. 216; Stats. 1943 s. 35.94 (1); 1953 c. 61 s. 20; 1953 c. 631 s. 12; 1959 c. 516; Stats. 1959 s. 35.012; 1961 c. 532, 533; 1967 c. 107.

Comment of Interim Committee on State Publications, 1959: This section was formerly 35.94 (1). It is amended by striking out the unnecessary language "by this state." [Bill 617, S]

35.015 History: 1945 c. 437 s. 2; Stats. 1945 s. 35.01 (2); 1951 c. 710 s. 7, 8; Stats. 1951 s. 35.015; 1955 c. 10; 1959 c. 516; 1959 c. 649 s. 4, 5; 1967 c. 107.

35.03 History: 1959 c. 516; Stats. 1959 s. 35.03; 1963 c. 527; 1965 c. 30, 50; 1965 c. 249 s. 78; 1967 c. 107.

Comment of Interim Committee on State Publications, 1959: Old 35.03 is reenacted with the following changes:

Old 35.03 (3) is reenacted, but changed to incorporate so much of the first sentence of 35.42 as relates to delivery to the contract printer. Old 35.03 (4) is deleted as unnecessary. Old 35.03 (5) is renumbered 35.03 (4), and amended to enable the director of purchases to provide editorial services to state agencies which do not have their own editors. (See Bill No. 8, S.)

Old 35.03 (6) is renumbered 35.03 (5). Old 35.03 (7) is not reenacted, because no such meetings have been held since the abolishment of the printing board in 1929. Old 35.03 (8) is renumbered 35.03 (6) and amended to require reporting of all state publications and the maintenance of a continuous inventory of

state publications by the director. This subsection will provide the governor and legislature with a central source of information about state publishing practices, and will give the director of purchases the information he needs to improve efficiency and effect economies in the reproduction of state publications. (See Bill No. 8, S.)

Old 35.03 (9) is renumbered 35.03 (7). 35.03 (8) is created to provide a means of assuring state depositories that they will receive all state documents which they are authorized by law to receive. (See Bill No. 8, S.) New 35.03 (9) replaces old 35.16 and 35.25, which have been restated and condensed. Old 35.035 (1) is renumbered 35.03 (10). Old 35.035 (2) is renumbered 35.03 (11), and is amended to enable the director to purchase paper from contract printers when such a procedure is found to be more economical. This subsection supersedes old 35.62 relating to the emergency purchase of paper, and old 35.62 is not reenacted. [Bill 617-S]

35.04 History: 1911 c. 657; Stats. 1911 s. 20.04; 1913 c. 771 s. 1a; 1915 c. 506 s. 2; 1915 c. 604 s. 1; 1917 c. 336 s. 5; 1917 c. 591; Stats. 1917 s. 35.04; 1931 c. 45 s. 1, 4; 1945 c. 20, 33; 1953 c. 61 s. 2; 1959 c. 228 s. 56b, 62; 1959 c. 516; 1959 c. 649 s. 6; 1963 c. 224; 1967 c. 107.

35.05 History: 1874 c. 243; 1876 c. 109; R. S. 1878 s. 314-317; Stats. 1898 s. 314-317; 1903 c. 92; Supl. 1906 s. 316, 317, 317a; 1911 c. 657; Stats. 1911 s. 20.07; 1917 c. 336 s. 7; Stats. 1917 s. 35.07; 1921 c. 1; 1923 c. 196; 1931 c. 45 s. 1; 1949 c. 102, 359; Stats. 1949 s. 13.146, 35.07; 1951 c. 734; 1953 c. 3, 589; 1957 c. 312; 1959 c. 228 s. 62, 516, 649 s. 7; Stats. 1959 s. 35.05; 1963 c. 149, 465; 1967 c. 107.

35.095 History: 1949 c. 19; Stats. 1949 s. 35.095; 1959 c. 516; 1963 c. 465.

Comment of Interim Committee on State Publications, 1959: 35.095 is reenacted without change. [Bill 617-S]

On style of laws see notes to sec. 17, art. IV; on title of private bills see notes to sec. 18, art. IV; and on approval or veto of laws by the governor see notes to sec. 10, art. V.

It is the date of approval and not the date of publication that controls when legislative intent is to be inferred from priority of one act to another. *Mead v. Bagnall*, 15 W 156.

A later-enacted statute prevails over and supersedes an earlier one so far as the two statutes are repugnant and irreconcilable. *Donovan v. Theo. Otjen Co.* 238 W 47, 298 NW 168.

The rule of *Mead v. Bagnall*, 15 W 156, extends to the governor and he cannot determine the legislative intent where that depends on the sequence of acts. The date of final action by the legislature controls. 38 Atty. Gen. 260.

35.15 History: 1959 c. 324, 516; Stats. 1959 s. 35.15; 1963 c. 465; 1967 c. 107.

Comment of Interim Committee on State Publications, 1959: Old 35.15 is renumbered 35.15 (1). It is substantially unchanged except that the director of purchases is authorized to determine the number of copies. Old 35.15 specified 1,500 copies but experience has shown that a larger number of copies is generally needed to satisfy the demand. New 35.15 (1) also contains a portion of old 35.16, which is

not reenacted. New 35.15 (2) is created to insure uniformity of procedure in the publication of session laws and to require that the second volume of session laws be printed in such a way that it can be slipped inside the back cover of the larger first volume, unless it is large enough to justify publication of an entirely separate volume. This section incorporates a recommendation made by the legislative council to the 1959 legislature earlier in the session. (See Bill 7, S.) [Bill 617-S]

On chapter numbering of acts see notes to 35.095.

35.17 History: 1864 c. 411 s. 2; R. S. 1878 s. 343; Stats. 1898 s. 343; 1911 c. 657; Stats. 1911 s. 20.20; 1917 c. 336 s. 21; Stats. 1917 s. 35.21; 1929 c. 262 s. 6; 1959 c. 516; Stats. 1959 s. 35.17.

Comment of Interim Committee on State Publications, 1959: Old 35.21 is renumbered 35.17. Only minor verbal changes have been made in this section. [Bill 617-S]

Under 35.21, Stats. 1923, the secretary of state has no authority to make corrections in the enrolled acts filed in his office, but only to make the corrections in the copy for official publications of the session laws. 12 Atty. Gen. 288.

35.18 History: 1911 c. 657; Stats. 1911 s. 20.17, 20.18; 1913 c. 771 s. 7, 8; 1915 c. 520; 1915 c. 604 s. 54; 1917 c. 336 s. 18, 19; Stats. 1917 s. 35.18, 35.19; 1923 c. 271 s. 2; 1923 c. 338; 1931 c. 45 s. 1; 1931 c. 116 s. 1; 1953 c. 3, 466; 1959 c. 516; Stats. 1959 s. 35.18; 1967 c. 107.

Comment of Interim Committee on State Publications, 1959: Old 35.18 (1) and (2) are reenacted with minor verbal changes. Old 35.19 is renumbered 35.18 (3) with minor verbal changes. [Bill 617-S]

35.19 History: 1907 c. 475; 1911 c. 657; Stats. 1911 s. 20.16 (2); 1913 c. 771 s. 6; 1915 c. 628; 1917 c. 336 s. 17; Stats. 1917 s. 35.17; 1931 c. 45 s. 1; 1953 c. 631; 1959 c. 516; Stats. 1959 s. 35.19; 1967 c. 107.

Comment of Interim Committee on State Publications, 1959: Old 35.17 is renumbered 35.19. The only change made in this section is to require that the printing of pamphlet laws be charged to the requisitioning agency in accordance with present administrative practice. [Bill 617-S]

35.20 History: 1955 c. 297; Stats. 1955 s. 35.20; 1959 c. 516; 1967 c. 107.

Comment of Interim Committee on State Publications, 1959: Old 35.20 is reenacted with minor verbal changes. [Bill 617-S]

35.22 History: 1889 c. 222; 1907 c. 475; 1911 c. 657; Stats. 1911 s. 20.21; 1917 c. 336 s. 22; Stats. 1917 s. 35.22; 1959 c. 516; 1965 c. 249.

Comment of Interim Committee on State Publications, 1959: Old 35.22 is reenacted with minor verbal changes. [Bill 617-S]

35.23 History: 1911 c. 657; Stats. 1911 s. 20.22; 1917 c. 336 s. 23; Stats. 1917 s. 35.23; 1929 c. 191 s. 2; 1959 c. 516; 1967 c. 29 s. 4.

Comment of Interim Committee on State Publications, 1959: Old 35.23 is reenacted with minor verbal changes. [Bill 617-S]

The rudiments of legislative research. Bradbury, 40 WBB, No. 5.

35.235 History: 1959 c. 516; Stats. 1959 s. 35.235; 1967 c. 107 s. 36.

Comment of Interim Committee on State Publications, 1959: Old 35.92 (3) is renumbered 35.235, and the cost of printing provided for by 35.20 is added. [Bill 617-S]

35.24 History: 1959 c. 516; Stats. 1959 s. 35.24; 1963 c. 149 s. 10; 1965 c. 23, 553, 621; 1967 c. 107; 1969 c. 7, 154; 1969 c. 276 s. 596; 1969 c. 392 s. 85.

Comment of Interim Committee on State Publications, 1959: Old 35.24 is renumbered 35.24 (1). Only minor verbal changes have been made. Old 35.37 (4) is renumbered 35.24 (2). Changes have been made to bring this subsection into conformity with present administrative practice, and other minor verbal changes have been made. Old 35.92 (5) is renumbered 35.24 (3). [Bill 617-S]

35.26 History: 1959 c. 516; Stats. 1959 s. 35.26; 1967 c. 107; 1969 c. 49, 154; 1969 c. 276 s. 589 (1)(b); 1969 c. 392.

Comment of Interim Committee on State Publications, 1959: Old 35.26 (1), (2) and (3) are reenacted with changes to bring them into line with present administrative practice, and other minor verbal changes. Old 35.92 (6) is renumbered 35.26 (4). [Bill 617-S]

35.265 History: 1901 c. 368; Supl. 1906 s. 143a; 1909 c. 110; 1911 c. 657; Stats. 1911 s. 20.06; 1917 c. 336 s. 6; 1917 c. 671 s. 11; Stats. 1917 s. 35.06; 1929 c. 97 s. 4; 1947 c. 9 s. 31; 1959 c. 228 s. 66; 1959 c. 516; 1959 c. 659 s. 48; Stats. 1959 s. 35.265.

Comment of Interim Committee on State Publications, 1959: Old 35.06 is renumbered 35.265. The principal change in this section is to reduce the quantity of the state budget report from 1,000 copies to 500 copies, and to add 1,000 copies of the budget report in brief. This change conforms to present administrative practice. [Bill 617-S]

35.27 History: R. S. 1849 c. 9 s. 56; R. S. 1858 c. 10 s. 92, 93; R. S. 1878 s. 137, 336, 337; 1883 c. 320; 1885 c. 303, 404, 435; 1887 c. 63; 1889 c. 526; Ann. Stats. 1889 s. 335a, 335b, 335c; 1893 c. 109; 1895 c. 263, 339; 1897 c. 195; Stats. 1898 s. 335b, 335c; 1901 c. 94; 1903 c. 131; 1905 c. 65, 131, 188, 263, 339; Supl. 1906 s. 335c; 1907 c. 452, 519, 582; 1911 c. 657; 1911 c. 664 s. 160; Stats. 1911 s. 20.25; 1913 c. 429; 1913 c. 771 s. 12; 1915 c. 506 s. 2; 1915 c. 604 s. 102; 1917 c. 336 s. 27; 1917 c. 591; Stats. 1917 s. 35.27; 1919 c. 346 s. 4; 1919 c. 593 s. 1, 2; 1921 c. 422 s. 11; 1921 c. 567 s. 3; 1921 c. 590 s. 43; 1931 c. 45 s. 1, 3; 1933 c. 159 s. 12; 1933 c. 323 s. 2; 1935 c. 550 s. 395; 1937 c. 284; 1943 c. 20, 229; 1945 c. 33; 1947 c. 411 s. 6(215.30(5)) and s. 11(220.02(5)); 1947 c. 612 s. 1; 1949 c. 17 s. 23; 1953 c. 61 s. 1; 1957 c. 125; 1959 c. 228 s. 62; 1959 c. 516; 1967 c. 107.

Comment of Interim Committee on State Publications, 1959: Old 35.27 is reenacted, except that the table is deleted and will appear in the specifications pamphlet which is a part of the printing contract. [Bill 617-S]

35.28 History: Stats. 1898 s. 335a; 1911 c. 657; Stats. 1911 s. 20.26; 1913 c. 771 s. 14; 1917 c. 336 s. 28; Stats. 1917 s. 35.28; 1931 c. 45 s.

1, 4; 1959 c. 228 s. 62; 1959 c. 516; 1967 c. 107 s. 36.

Comment of Interim Committee on State Publications, 1959: Old 35.28 is reenacted, but the last sentence is deleted because it relates to a portion of old 35.27 which is left to administrative determination. Otherwise, only minor verbal changes have been made in this section. [Bill 617-S]

35.29 History: 1959 c. 516; 1959 c. 659 s. 49; Stats. 1959 s. 35.29; 1967 c. 107; 1969 c. 276 s. 588 (1).

Comment of Interim Committee on State Publications, 1959: Old 35.29 is renumbered 35.29 (1), and is amended to include all state agencies. The old section was limited to the state superintendent of public instruction, the state department of agriculture, the conservation commission and the free library commission. Old 35.32 is renumbered 35.29 (2), and is changed to conform to present administrative practice. Old 35.33 (1) is not reenacted, because it is superseded by new 35.29 (1). Old 35.33 (2) is not reenacted, and its provisions will appear in the specifications pamphlet which is a part of the printing contract. Old 35.92 (7) is renumbered 35.29 (3). Old 35.30 is not reenacted, because it is obsolete. [Bill 617-S]

35.34 History: 1959 c. 228 s. 62, 67; 1959 c. 516; 1959 c. 659 s. 50; Stats. 1959 s. 35.34; 1967 c. 107.

Comment of Interim Committee on State Publications, 1959: Old 35.34 (1) is reenacted with only minor verbal changes. Old 35.34 (2) is renumbered 35.91 (2). Old 35.92 (13) is renumbered 35.34 (2). [Bill 617-S]

35.35 History: R. S. 1858 c. 6 s. 17; 1861 c. 234; 1874 c. 243 s. 26, 29; 1876 c. 389; R. S. 1878 s. 329, 332; Stats. 1898 s. 329, 332; 1911 c. 657; Stats. 1911 s. 20.68; 1917 c. 336 s. 69; Stats. 1917 s. 35.68; 1923 c. 271 s. 2; 1931 c. 45 s. 1; 1959 c. 228 s. 62; 1959 c. 516; 1961 c. 586; 1967 c. 107 s. 33; Stats. 1967 s. 35.35.

Comment of Interim Committee on State Publications, 1959: Old 35.68 is reenacted with minor verbal changes. [Bill 617-S]

35.36 History: 1959 c. 516; Stats. 1959 s. 35.69; 1961 c. 586; 1965 c. 252; 1967 c. 107 s. 33; Stats. 1967 s. 35.36.

Comment of Interim Committee on State Publications, 1959: Old 35.69 is renumbered 35.69 (1), and minor verbal changes have been made. Old 35.92 (15) is renumbered 35.69 (2), and minor verbal changes have been made. [Bill 617-S]

Editor's Note: The term "and other papers", as used in 35.69, Stats. 1947, was construed by the attorneys general in 36 Atty. Gen. 535 and 39 Atty. Gen. 227.

35.37 History: 1878 c. 124 s. 2, 3; R. S. 1878 s. 347a, 347b; Stats. 1898 s. 347a, 347b; 1911 c. 657; Stats. 1911 s. 20.74; 1917 c. 336 s. 75; Stats. 1917 s. 35.74; 1931 c. 45 s. 1; 1959 c. 228 s. 62; 1959 c. 516; 1967 c. 107 ss. 33, 36; Stats. 1967 s. 35.37.

Comment of Interim Committee on State Publications, 1959: Old 35.74 is reenacted with minor verbal changes. [Bill 617-S]

35.38 History: 1878 c. 124 s. 2, 3, 6; R. S. 1878 s. 347a, 347b, 347e; Stats. 1898 s. 347a, 347b, 347e; 1911 c. 657; Stats. 1911 s. 20.75; 1917 c. 336 s. 76; Stats. 1917 s. 35.75; 1931 c. 45 s. 1; 1931 c. 408; 1935 c. 136; 1951 c. 538; 1953 c. 540; 1959 c. 228 s. 62, 64; 1959 c. 516; 1959 c. 649 s. 12; 1965 c. 433 s. 121; 1967 c. 107 ss. 33, 36; 1967 c. 291 s. 14; Stats. 1967 s. 35.38.

Ch. 408, Laws 1931, amending 35.75, Stats. 1929, to eliminate from requirements of contracts for printing Wisconsin reports provision for 350 free copies to the state, was not intended to apply to existing contract, and, if it did, the amendment would be to grant "extra compensation" to the contractor in violation of the constitution. 20 Atty. Gen. 656.

35.39 History: 1878 c. 124 s. 2, 3; R. S. 1878 s. 347a, 347b; Stats. 1898 s. 347a, 347b; 1911 c. 657; Stats. 1911 s. 20.76; 1917 c. 336 s. 77; Stats. 1917 s. 35.76; 1931 c. 45 s. 1, 4; 1951 c. 538; 1959 c. 228 s. 62; 1959 c. 516; 1965 c. 252, 558; 1967 c. 107 ss. 33, 36; Stats. 1967 s. 35.39.

Comment of Interim Committee on State Publications, 1959: Old 35.76 is reenacted with minor verbal changes. [Bill 617-S]

35.40 History: 1878 c. 124 s. 3, 4; R. S. 1878 s. 347b, 347c; Stats. 1898 s. 347b, 347c; 1911 c. 657; Stats. 1911 s. 20.77; 1917 c. 336 s. 78; Stats. 1917 s. 35.77; 1931 c. 45 s. 1; 1935 c. 136; 1951 c. 538; 1959 c. 228 s. 64; 1959 c. 516; 1965 c. 584; 1967 c. 107 ss. 33, 36; Stats. 1967 s. 35.40.

Comment of Interim Committee on State Publications, 1959: Old 35.77 is reenacted, but the \$5 maximum bid price is deleted and left to administrative determination. Experience has shown that the \$5 maximum is unrealistic. [Bill 617-S]

35.41 History: 1911 c. 657; Stats. 1911 s. 20.78; 1917 c. 336 s. 79; Stats. 1917 s. 35.78; 1931 c. 45 s. 1; 1935 c. 136; 1959 c. 228 s. 62; 1959 c. 516; 1967 c. 107 s. 33; Stats. 1967 s. 35.41.

Comment of Interim Committee on State Publications, 1959: Old 35.78 is reenacted with minor verbal changes. [Bill 617-S]

35.42 History: 1878 c. 124 s. 5; R. S. 1878 s. 347d; Stats. 1898 s. 347d; 1911 c. 657; 1911 c. 664 s. 160; Stats. 1911 s. 20.79; 1917 c. 336 s. 80; Stats. 1917 s. 35.79; 1931 c. 45 s. 1; 1959 c. 228 s. 62; 1959 c. 516; 1965 c. 252; 1967 c. 107 s. 33; Stats. 1967 s. 35.42.

Comment of Interim Committee on State Publications, 1959: Old 35.79 is reenacted with minor verbal changes. [Bill 617-S]

Editor's Note: Provisions of 35.46, 35.48 and 35.50, Stats. 1943, relating to bonds, were construed by the attorney general in an opinion published in 33 Atty. Gen. 190.

35.43 History: 1874 c. 32 s. 4; 1874 c. 243; R. S. 1878 s. 297, 333, 335; Stats. 1898 s. 297, 333, 335; 1911 c. 657; 1911 c. 664 s. 160; Stats. 1911 s. 20.03; 1913 c. 771; 1917 c. 336 s. 81; Stats. 1917 s. 35.80; 1931 c. 45 s. 1; 1959 c. 228 s. 62; 1959 c. 516; 1959 c. 649 s. 13; 1961 c. 532; 1967 c. 107 ss. 34, 35; Stats. 1967 s. 35.43.

35.44 History: 1959 c. 649 s. 14; Stats. 1959 s. 35.805; 1967 c. 107 s. 35; Stats. 1967 s. 35.44.

35.45 History: 1937 c. 281; Stats. 1937 s.

35.555; 1945 c. 20; 1953 c. 61 s. 2; 1959 c. 228 s. 62; 1959 c. 516; 1967 c. 107 s. 28; Stats. 1967 s. 35.45.

Comment of Interim Committee on State Publications, 1959: Old 35.555 is reenacted with minor verbal changes. [Bill 617-S]

35.50 History: 1959 c. 516; Stats. 1959 s. 35.35; 1963 c. 465; 1965 c. 585; 1967 c. 107 s. 27; Stats. 1967 s. 35.50.

Comment of Interim Committee on State Publications, 1959: Old 35.35 is restated and reenacted, but the technical details have been deleted and will appear in the specifications pamphlet which is a part of the printing contract. This section supersedes old 35.36 and, in part, old 35.37. [Bill 617-S]

35.51 History: 1959 c. 516; Stats. 1959 s. 35.36; 1967 c. 107 ss. 27, 36; Stats. 1967 s. 35.51.

Comment of Interim Committee on State Publications, 1959: Old 35.36 is not reenacted because it has been superseded by new 35.35 (1). New 35.36 incorporates the portion of old 35.42 relating to proof sheets. [Bill 617-S]

35.52 History: 1874 c. 243 s. 17; R. S. 1878 s. 321; 1889 c. 526 s. 7; Ann. Stats. 1889 s. 321; Ann. Stats. 1889 s. 335a sub. 7; Stats. 1898 s. 321, 337; 1911 c. 657; 1911 c. 664 s. 160; Stats. 1911 s. 20.38; 1915 c. 506 s. 2; 1917 c. 336 s. 39; Stats. 1917 s. 35.38; 1931 c. 45 s. 8; 1957 c. 97; 1959 c. 228 s. 62; 1959 c. 516; 1967 c. 107 s. 27; Stats. 1967 s. 35.52.

Comment of Interim Committee on State Publications, 1959: Old 35.38 is reenacted with minor verbal changes. [Bill 617-S]

35.53 History: 1959 c. 516; Stats. 1959 s. 35.39; 1967 c. 107 s. 27; Stats. 1967 s. 35.53.

Comment of Interim Committee on State Publications, 1959: Old 35.39 is renumbered 35.39 (1), and changed to bring it into line with new 35.05 (6) and present administrative practice. The portion of old 35.33 (1) relating to the power of the governor to withdraw any printing requisition is renumbered 35.39 (2). [Bill 617-S]

35.54 History: 1911 c. 657; Stats. 1911 s. 20.40; 1917 c. 336 s. 41; Stats. 1917 s. 35.40; 1959 c. 516; 1967 c. 107 s. 27; Stats. 1967 s. 35.54.

Comment of Interim Committee on State Publications, 1959: Old 35.40 is reenacted, but has been changed to correct an obvious error in the first line of the old section. [Bill 617-S]

35.55 History: 1911 c. 657; Stats. 1911 s. 20.41; 1915 c. 604 s. 1; 1917 c. 336 s. 42; Stats. 1917 s. 35.41; 1923 c. 271 s. 2; 1931 c. 45 s. 1; 1945 c. 20, 33; 1953 c. 61 s. 2; 1959 c. 228 s. 62; 1959 c. 516; 1967 c. 107 ss. 27, 36; Stats. 1967 s. 35.55.

35.56 History: 1967 c. 107 s. 30; Stats. 1967 s. 35.56.

Editor's Note: The provisions of 35.42, 35.45, 35.49, 35.50 and 35.51, Stats. 1917, as applicable to contract prices, were construed by the attorney general in an opinion published in 9 Atty. Gen. 209.

35.57 History: 1874 c. 243 s. 2, 3; R. S. 1878 s. 297; Stats. 1898 s. 297; 1911 c. 657;

Stats. 1911 s. 20.45; 1915 c. 506 s. 2; 1917 c. 336 s. 46; Stats. 1917 s. 35.45; 1919 c. 593 s. 1, 2; 1931 c. 45 s. 1, 4; 1955 c. 50; 1959 c. 228 s. 62; 1959 c. 516; 1965 c. 252; 1967 c. 107 s. 22; Stats. 1967 s. 35.57.

Comment of Interim Committee on State Publications, 1959: Old 35.45 is reenacted. Minor revision has been made to bring the section into line with new 35.43, and minor verbal changes have been made. [Bill 617-S]

35.58 History: 1967 c. 107 s. 31; Stats. 1967 s. 35.58.

Editor's Note: The provisions of ch. 35, Stats. 1933, relating to contract awards, were considered by the attorney general in an opinion published in 24 Atty. Gen. 22.

35.59 History: 1874 c. 243 s. 8; R. S. 1878 s. 303; Stats. 1898 s. 303; 1911 c. 657; Stats. 1911 s. 20.50; 1917 c. 336 s. 51; Stats. 1917 s. 35.50; 1931 c. 45 s. 1; 1959 c. 228 s. 62; 1959 c. 516; 1965 c. 584; 1967 c. 29 s. 1; 1967 c. 107 s. 24; Stats. 1967 s. 35.59.

Comment of Interim Committee on State Publications, 1959: Old 35.50 is reenacted with minor verbal changes. [Bill 617-S]

Editor's Notes: (1) 35.45 and 35.50, Stats. 1919, as applicable to violations of printing contracts, were construed by the attorney general in an opinion published in 8 Atty. Gen. 846.

(2) 35.44, 35.50, and 35.51, Stats. 1919, as applicable to occasional delays or defaults, were construed by the attorney general in an opinion published in 9 Atty. Gen. 369.

35.60 History: 1874 c. 243 s. 9; R. S. 1878 s. 304; Stats. 1898 s. 304; 1911 c. 657; Stats. 1911 s. 20.51; 1917 c. 336 s. 52; Stats. 1917 s. 35.51; 1931 c. 45 s. 1, 4; 1959 c. 228 s. 62; 1959 c. 516; 1967 c. 107 s. 24; Stats. 1967 s. 35.60.

Comment of Interim Committee on State Publications, 1959: Old 35.51 is reenacted with minor verbal changes. [Bill 617-S]

Editor's Note: 35.51, Stats. 1935, relating to the reletting of contracts was considered by the attorney general in an opinion published in 24 Atty. Gen. 392.

35.61 History: 1967 c. 107 s. 32; Stats. 1967 s. 35.61.

35.62 History: 1874 c. 243 s. 21, 22; R. S. 1878 s. 326, 327; Stats. 1898 s. 326, 327; 1911 c. 657; Stats. 1911 s. 20.54; 1915 c. 506 s. 2; 1917 c. 336 s. 55; Stats. 1917 s. 35.54; 1931 c. 45 s. 1, 4; 1959 c. 228 s. 62; 1959 c. 516; 1959 c. 649 s. 11; 1967 c. 107 s. 26; Stats. 1967 s. 35.62.

35.63 History: 1959 c. 516; Stats. 1959 s. 35.545; 1967 c. 107 s. 26; Stats. 1967 s. 35.63.

Comment of Interim Committee on State Publications, 1959: Old 35.92 has been condensed to a general statement and renumbered 35.545. [Bill 617-S]

35.64 History: 1959 c. 516; Stats. 1959 s. 35.55; 1967 c. 107 s. 26; Stats. 1967 s. 35.64.

Comment of Interim Committee on State Publications, 1959: Old 35.55 is renumbered 35.55 (1), and minor verbal changes have been made. Old 35.31 relating to specialty printing is restated and renumbered 35.55 (2). [Bill 617-S]

Under 35.55 and 20.10 (3), Stats. 1937, the director of purchases is authorized to purchase special type faces required in doing public printing where such material is not required of state printers by existing contracts and is not otherwise provided for by statutes. 26 Atty. Gen. 407.

35.65 History: 1959 c. 516; Stats. 1959 s. 35.56; 1967 c. 107 ss. 29, 36; Stats. 1967 s. 35.65.

Comment of Interim Committee on State Publications, 1959: Old 35.56 is restated and renumbered 35.56 (1). This subsection supersedes old 35.57 and 35.59, and they are not reenacted. The details of the bid and purchase procedures are left to administrative determination. New 35.56 (2) and (3) are created to make contract printers responsible for all paper assigned to them and to provide for waste allowances. New 35.56 (3) supersedes old 35.61, which is not reenacted. Old 35.60 is not reenacted; in part it is superseded by new 35.56 and in part it is left to administrative determination. [Bill 617-S]

35.81 History: 1874 c. 243 s. 42; R. S. 1878 s. 348; Stats. 1898 s. 348; 1911 c. 657; Stats. 1911 s. 20.80; 1917 c. 336 s. 82; Stats. 1917 s. 35.81; 1931 c. 45 s. 1; 1959 c. 228 s. 62; 1959 c. 516; 1967 c. 107 s. 36.

Comment of Interim Committee on State Publications, 1959: Old 35.81 is reenacted, but the details of the method of accounting are deleted and left to administrative determination. Otherwise only minor verbal changes have been made. [Bill 617-S]

35.82 History: 1874 c. 243 s. 59; R. S. 1878 s. 366; Stats. 1898 s. 366; 1911 c. 657; Stats. 1911 s. 20.81; 1917 c. 336 s. 83; Stats. 1917 s. 35.82; 1959 c. 516.

Comment of Interim Committee on State Publications, 1959: Old 35.82 is reenacted with minor verbal changes. [Bill 617-S]

35.84 History: 1959 c. 516; 1959 c. 649 s. 15; Stats. 1959 s. 35.84; 1961 c. 336, 522; 1963 c. 149, 429; 1965 c. 19, 409, 440, 659 ss. 19, 23 (1); 1967 c. 107 s. 36; 1967 c. 226 s. 10; 1969 c. 241; 1969 c. 276 ss. 596, 602 (1), 603 (2); 1969 c. 392 s. 85.

Comment of Interim Committee on State Publications, 1959: Old 35.84 is revised in table form to simplify administration of the section and to provide a quick picture of the state's distribution programs. Some changes have been made to bring the section into line with current distribution procedures. Some portions of old 35.84 are transferred to new 35.85.

Old 35.83 is not reenacted, because it has been confusing to the shipping room personnel and has served no purpose. [Bill 617-S]

An assemblyman is not entitled to statutes and annotations after his term expires. 4 Atty. Gen. 85.

A member of the legislature is entitled to but one copy of the statutes and annotations. 4 Atty. Gen. 481.

Legislative journals, session laws, blue books, and Wisconsin statutes need not be furnished to such members of the legislature, Special Session, 1922, as were supplied copies as members of the regular session, 1921. 11 Atty. Gen. 235.

A municipal court which has no clerk and which is not required to have a seal is not entitled to a set of Wisconsin statutes free, because it is not a court of record. 11 Atty. Gen. 659.

35.85 History: 1901 c. 168 s. 1; 1903 c. 238 s. 2; Supl. 1906 s. 373d; 1917 c. 453 s. 5; Stats. 1917 s. 43.13; 1949 c. 52; 1951 c. 33; 1959 c. 228 s. 62; 1959 c. 516; Stats. 1959 s. 35.85, 43.13; 1961 c. 532; 1963 c. 149; 1965 c. 18 ss. 6, 10; 1965 c. 30 ss. 2, 4; 1965 c. 150 ss. 5, 22; 1965 c. 249 s. 78; 1965 c. 455, 621, 625; Stats. 1965 s. 35.85; 1967 c. 107 s. 36; 1967 c. 226; 1967 c. 276 s. 39; 1969 c. 154; 1969 c. 276 ss. 237, 589 (2) (b), 596, 602 (1).

Comment of Interim Committee on State Publications, 1959: New 35.85 replaces old 35.85 and some portions of old 35.84.

New 35.85 (1) includes a portion of old 35.84 (3) and a provision for the sale of legislative journals. Present statutes do not provide for the distribution of the journal beyond the provisions of old 35.84 (3). Because not all of the persons who are entitled to receive copies apply for them, a surplus occurs after every session. A stock of undistributed copies has consequently accumulated in the basement storage room. The new subsection will allow the director of purchases to sell copies of the journal to people who have no other precise means of acquiring copies, thereby disposing of the surplus. (See Bill 7, S.)

Old 35.84 (11) is renumbered 35.85 (2). This subsection has been revised to bring it into line with new 35.28 and 35.29, to delete obsolete material, and to provide for the distribution by state agencies of publications which are necessary to their proper administration. A portion of old 35.84 (17) is incorporated in new 35.85 (2). Old 35.84 (6) (b) is renumbered 35.85 (3). Old 35.84 (16a) is renumbered 35.85 (4). A portion of old 35.84 (17) relating to the further distribution of the statutes and session laws is renumbered 35.85 (5). Old 35.84 (18) is renumbered 35.85 (6). It has been restated to clarify the meaning of the subsection and to include a cross reference to 43.14. Old 35.84 (20) is renumbered 35.85 (7). It has been restated to clarify the meaning of the subsection and to include a cross reference to 43.13.

New 35.85 (8) has been created to provide for the distribution of supreme court briefs and other materials by the supreme court clerk. This subsection conforms to present administrative practice. The last 2 sentences of old 35.84 (16) are incorporated as new 35.85 (9) with minor verbal changes. Old 35.84 (13) is renumbered 35.85 (10). This subsection is revised to provide for the distribution of remaining copies of the inventory of Wisconsin natural resources. (See Bill 140 A.)

Old 35.84 (19) is renumbered 35.85 (11) with minor verbal changes. Old 35.85 is renumbered 35.85 (12) with minor verbal changes. New 35.85 (13) is created to provide for departmental distribution programs not specified in this chapter. Old 35.84 (5) is not reenacted, because session laws are not reprinted. Old 35.84 (12) is not reenacted, because it is superseded by new 35.85 (2). Old 35.84 (16b) is not reenacted, because it is obsolete. [Bill 617-S]

35.86 History: 1959 c. 516; Stats. 1959 s. 35.86; 1963 c. 149; 1965 c. 18 s. 10; 1965 c. 150 s. 22; 1967 c. 107 s. 36; 1969 c. 276 ss. 589 (1) (c), 592 (7), 596; 1969 c. 366 s. 117 (2) (a).

Comment of Interim Committee on State Publications, 1959: Old 35.86 is renumbered 35.86 (1). State agencies which have no formal exchange programs are deleted from this subsection, and other state agencies which have formal exchange programs but which were not listed in the old section have been added. A provision is added to enable other state agencies to initiate exchange programs on application to the director of purchases. The last sentence in old 35.86 is renumbered 35.86 (2) with minor verbal changes.

New subs. (3), (4) and (6) are created. Old 35.92 (17) is renumbered 35.86 (5). The purpose of this section is to tighten controls over the state's exchange programs to insure that the state receives equal value for what it distributes in exchange, to provide a central source of information about state exchange programs, and to define "public document" as used in this section. (See Bill 8, S) [Bill 617-S]

35.87 History: 1907 c. 1; Stats. 1911 s. 111m; 1917 c. 336 s. 89; Stats. 1917 s. 35.87; 1923 c. 271 s. 2; 1951 c. 596; 1959 c. 324; 1959 c. 516; 1959 c. 649 s. 16; 1967 c. 107 s. 36.

Legislative documents may be mailed to places outside the state under this section when the transportation charge has been paid. 10 Atty. Gen. 103.

35.88 History: 1874 c. 243 s. 51; R. S. 1878 s. 358; 1897 c. 379; Stats. 1898 s. 358; 1911 c. 657; Stats. 1911 s. 20.86; 1917 c. 178 s. 2; 1917 c. 336 s. 90; Stats. 1917 s. 35.88; 1959 c. 516.

Comment of Interim Committee on State Publications, 1959: Old 35.88 is reenacted without change. [Bill 617-S]

35.89 History: 1874 c. 243 s. 52; R. S. 1878 s. 359; 1885 c. 67; Stats. 1898 s. 359; 1911 c. 657; Stats. 1911 s. 20.87; 1913 c. 122; 1913 c. 771 s. 41; 1917 c. 336 s. 91; Stats. 1917 s. 35.89; 1931 c. 45 s. 1, 4; 1959 c. 228 s. 62; 1959 c. 516; 1967 c. 107 s. 36.

Comment of Interim Committee on State Publications, 1959: Old 35.89 is reenacted, re-titled, and revised to bring it into line with present administrative practice. [Bill 617-S]

35.90 History: 1911 c. 657; Stats. 1911 s. 20.88; 1917 c. 336 s. 92; Stats. 1917 s. 35.90; 1931 c. 45 s. 12; 1959 c. 89; 1959 c. 228 s. 62; 1959 c. 516; 1959 c. 649 s. 17; 1967 c. 29 s. 4; 1967 c. 107 s. 36.

35.91 History: 1959 c. 516; Stats. 1959 s. 35.91; 1965 c. 249 ss. 22, 78; 1965 c. 621, 625; 1967 c. 107 s. 36; 1967 c. 159; 1967 c. 291 s. 14; 1969 c. 154 ss. 134s, 377; 1969 c. 276 s. 602 (1).

Comment of Interim Committee on State Publications, 1959: Old 35.91 is renumbered 35.91 (1), and it is amended to provide for the sale of all state publications for which free distribution is not provided by statute. During the 1955-1957 fiscal biennium about 90 per cent of state publications was distributed without charge. The purpose of this subsection is to reduce free distribution to a less costly amount. (See Bill 8, S.) Old 35.34 (2) is renumbered 35.91 (2). [Bill 617-S]

35.93 History: 1939 c. 428; Stats. 1939 s. 35.93; 1951 c. 717; 1953 c. 276; 1955 c. 221; 1957 c. 426; 1959 c. 228 s. 62, 64; 1959 c. 516; 1961 c. 532; 1963 c. 224; 1965 c. 30; 1965 c. 249 s. 78; 1967 c. 107 s. 36; 1969 c. 276 ss. 585 (2), 596.

Comment of Interim Committee on State Publications, 1959: Old 35.93 is reenacted with minor verbal changes. [Bill 617-S]

On the extent to which the administrative procedure act confers rule-making authority see notes to 227.014.

The purpose of the legislature in requiring the filing of rules with the secretary of state under 227.03 and in providing for publication under 35.93, Stats. 1947, is apparently to provide a standard by which members of the public can inform themselves with certainty of the exact obligation imposed by administrative rules at any given time. 37 Atty. Gen. 391, 392. See also 39 Atty. Gen. 513, 515.

A member of the legislature is entitled to but one copy of the Wisconsin administrative code plus current service. His reelection does not entitle him to an additional copy. 48 Atty. Gen. 39.

35.94 History: 1959 c. 516; 1959 c. 659 s. 51; Stats. 1959 s. 35.94; 1967 c. 291 s. 14.

Comment of Interim Committee on State Publications, 1959: Old 35.94 is transferred to 35.012 and 35.46. Old 35.92 (20) is renumbered new 35.94 with minor verbal changes. [Bill 617-S]

CHAPTER 36.

University of Wisconsin.

36.01 History: 1866 c. 114 s. 5; 1870 c. 80; 1872 c. 135; R. S. 1878 s. 377; Stats. 1898 s. 377; 1917 c. 453 s. 2; Stats. 1917 s. 36.01.

36.02 History: 1969 c. 276; Stats. 1969 s. 36.02.

36.03 History: 1866 c. 114 s. 6, 7, 10; 1869 c. 13 s. 1; R. S. 1878 s. 379; Stats. 1898 s. 379; 1903 c. 260 s. 1; Supl. 1906 s. 379; 1917 c. 453 s. 2; Stats. 1917 s. 36.03; 1947 c. 9 s. 31; 1949 c. 197; 1959 c. 659 s. 79; 1967 c. 29 s. 1; 1969 c. 276.

On internal improvements see notes to sec. 10, art. VIII; on supporting a state university see notes to sec. 6, art. X; and on appropriations to the state university see notes to 20.285.

The regents of the university of Wisconsin are an agency of the state, and while they may acquire property, the same is really held by them as the agency of the state in furtherance of the state's purpose to maintain a university. Wisconsin Univ. Bldg. Corp. v. Bareis, 257 W 497, 44 NW (2d) 259.

The board of regents of the university, which is declared to be a body corporate by 36.03, Stats. 1921, has no powers except such as are conferred upon it by the express language of the statute, or by fair or necessary implication therefrom. 12 Atty. Gen. 50.

The regents have authority to convey land to the United States for a proper university purpose. 37 Atty. Gen. 251.

36.04 History: 1866 c. 114 s. 14, 15; R. S. 1878 s. 380; Stats. 1898 s. 380; 1917 c. 433 s.